

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO *et al.*,

Debtors.<sup>1</sup>

THE SPECIAL CLAIMS COMMITTEE OF THE  
FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO, ACTING BY AND  
THROUGH ITS MEMBERS,

and

THE OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS OF THE COMMONWEALTH OF  
PUERTO RICO,

as co-trustees respectively, of

THE COMMONWEALTH OF PUERTO RICO,

Plaintiffs<sup>2</sup>

v.

BARCLAYS CAPITAL, BofA SECURITIES,  
MERRILL LYNCH CAPITAL SERVICES, INC.,  
CITIGROUP INC., GOLDMAN SACHS & CO., J.P.  
MORGAN CHASE & CO., JEFFERIES GROUP LLC,  
MESIROW FINANCIAL, INC., MORGAN

X

:

:

:

:

:

:

:

:

:

X

:

:

:

:

:

:

:

:

:

:

:

:

:

:

:

:

:

:

:

:

PROMESA

Title III

Case No. 17-BK-3283 (LTS)

(Jointly Administered)

Adv. Proc. No. \_\_\_\_\_

<sup>1</sup> The Debtors in these Title III cases, along with each Debtor's respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK- 3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481), (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686), (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808), (iv) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780) (Last Four Digits of Federal Tax ID: 3747).

<sup>2</sup> The members of the Special Claims Committee, on the one hand, and the Official Committee of Unsecured Creditors, on the other hand, serve as co-trustees and co-plaintiffs in the prosecution of this adversary proceeding as described in that certain *Stipulation And Agreed Order By And Among Financial Oversight And Management Board, Its Special Claims Committee, And Official Committee Of Unsecured Creditors Related To Joint Prosecution Of Debtor Causes Of Action*, Case No. 17-BK-3283 (LTS), ECF No. 6505-1, which is referenced herein to the extent necessary and appropriate.

STANLEY, RAMIREZ & CO., INC., RBC CAPITAL  
MARKETS, SANTANDER SECURITIES, UBS  
FINANCIAL SERVICES, INC. OF PUERTO RICO,  
VAB FINANCIAL, BMO CAPITAL MARKETS,  
RAYMOND JAMES, SCOTIA MSD, TCM  
CAPITAL, and SIDLEY AUSTIN LLP,  
  
Defendants.

X

### SUMMONS IN AN ADVERSARY PROCEEDING

To: TCM Capital  
153 O'Neill Street  
San Juan, PR 00918

YOU ARE SUMMONED and required to file a motion or answer to the complaint which is attached to this summons with the clerk of the district court within 30 days after the date of issuance of this summons, except that the United States and its officers and agencies shall file a motion or answer to the complaint within 35 days. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

**BROWN RUDNICK LLP**

Edward S. Weisfelner, Esq.  
Seven Times Square  
New York, NY 10036  
Tel. (212) 209-4800  
eweisfelner@brownrudnick.com

Jeffrey L. Jonas, Esq.  
Sunni P. Beville, Esq.  
One Financial Center  
Boston, MA 02111  
Tel.: (617) 856-8200  
jjonas@brownrudnick.com  
sbeville@brownrudnick.com

**PAUL HASTINGS LLP**

Luc A. Despina, Esq. (*Pro Hac Vice*)  
James R. Bliss, Esq. (*Pro Hac Vice*)  
James B. Worthington, Esq. (*Pro Hac Vice*)  
G. Alexander Bongartz, Esq. (*Pro Hac Vice*)  
200 Park Avenue  
New York, New York 10166  
Tel.: (212) 318-6000  
lucdespins@paulhastings.com  
jamesbliss@paulhastings.com  
jamesworthington@paulhastings.com  
alexbongartz@paulhastings.com

**ESTRELLA, LLC**

Alberto Estrella, Esq. USDC - PR 209804  
Kenneth C. Suria, Esq. USDC - PR 213302  
P. O. Box 9023596  
San Juan, Puerto Rico 00902-3596  
Tel.: (787) 977-5050  
aestrella@estrellallc.com  
ksuria@estrellallc.com

**CASILLAS, SANTIAGO & TORRES LLC**

Juan J. Casillas Ayala, Esq. USDC - PR 218312  
Alberto J. E. Añeses Negrón, Esq. USDC - PR 302710  
Israel Fernández Rodríguez, Esq. USDC - PR 225004  
Juan C. Nieves González, Esq. USDC - PR 231707  
Cristina B. Fernández Niggemann, Esq. USDC - PR 306008  
PO Box 195075  
San Juan, Puerto Rico 00919-5075  
Tel.: (787) 523-3434  
jcasillas@cstlawpr.com  
aaneses@cstlawpr.com  
ifernandez@cstlawpr.com  
jnieves@cstlawpr.com  
cfernandez@cstlawpr.com

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

If you fail to respond to this summons, your failure will be deemed to be your consent to entry of a judgment by the district court and judgment by default may be taken against you for the relief demanded in the complaint.

FRANCES RIOS DE MORAN, ESQ.  
CLERK OF COURT

Date:

---

Signature of Clerk or Deputy Clerk

### **CERTIFICATE OF SERVICE**

I, \_\_\_\_\_ (name), certify that service of this summons and a copy of the complaint was made \_\_\_\_\_ (date) by:

- ☐ Mail service: Regular, first class United States mail, postage fully pre-paid, addressed to:
- ☐ Personal Service: By leaving the process with the defendant or with an officer or agent of defendant at:
- ☐ Residence Service: By leaving the process with the following adult at:
- ☐ Certified Mail Service on an Insured Depository Institution: By sending the process by certified mail addressed to the following officer of the defendant at:
- ☐ Publication: The defendant was served as follows: [Describe briefly]
- ☐ State Law: The defendant was served pursuant to the laws of the State of, as follows: [Describe briefly]

If service was made by personal service, by residence service, or pursuant to state law, I further certify that I am, and at all times during the service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made.

Under penalty of perjury, I declare that the foregoing is true and correct.

Date \_\_\_\_\_ Signature \_\_\_\_\_

Print Name: \_\_\_\_\_

Business Address: \_\_\_\_\_